

**CLERMONT COUNTY PLANNING COMMISSION  
FIRST REGULAR MEETING  
January 23, 2007**

The First Regular Meeting of the Clermont County Planning Commission was held on Tuesday, January 23, 2007 at 5:00 p.m. in the Engineering/Planning Conference Room. Members present were Ms. Potter, and Messrs. Hoffman, Maham, Nichols, Rouster, Schultz, Thomson, Turton, and Vandlandingham.

**APPROVAL OF MINUTES:**

Chairman Maham asked if there were any questions, additions or corrections to the December Minutes that had been mailed to the members prior to the meeting. A motion to approve the December Meeting Minutes was made by Mr. Turton, seconded by Mr. Vanlandingham, and carried unanimously.

**STAFF REPORT ON ZONING CASES**

**Batavia Twp. Zoning Case B-01-07Z**

**Ron Singleton**

5:05 p.m.

Mr. Hershner presented the Staff Report for this zoning request. Staff's recommendation was for approval of the proposed request.

Mark Walker, Professional Engineering Group, LLC, was present for this case.

Following short discussion, Mr. Hoffman moved that the Planning Commission recommend to Batavia Township **approval** of Batavia Township Zoning Case B-01-07Z, per staff's recommendation as follows, seconded by Mr. Vanlandingham, and carried unanimously.

**STAFF RECOMMENDATION:**

The Planning Staff recommends that the Clermont County Planning Commission recommend **APPROVAL** to Batavia Township of the request to rezone approximately 4.63+/- acres of property from R-1 Single Family District zoning to PD Planned Development District, including the proposed Preliminary Development Plan, based on the following Staff Findings and Additional Recommendation(s) for Modification:

**STAFF FINDINGS:**

1. The proposed zoning is consistent with the recommendations of the Township adopted growth management plan.
2. The anticipated use is consistent with the general purpose, intent, and other applicable regulations of the adopted Planned Development (PD) regulations governing commercial development in areas of Batavia Township, as approved by the Township Trustees.

3. That the proposed zoning map amendment does not represent a direct threat to the public health, safety, or general welfare.
4. That the proposed retail center can result in properly planned development in this area of the Township.

**RECOMMENDED CONDITIONS:**

1. Compliance with Section 36.01 G. and M. requiring 0.93 acre of Common Open Space designed to provide maximum benefit to pedestrian activity and users of the development and should not be provided in unusable fragments.
2. Compliance with Section 36.01 R. 11. providing suitable future common access to adjacent parcels.
3. That a pedestrian system provide for future connectivity to adjacent properties upon development of same.
4. Compliance with Article 8 of the Batavia Township Zoning Resolution regarding Off Street Parking, Loading and Lighting Standards.
5. Construct a left turn lane from Bauer Road onto Elmwood Road and any additional intersection improvements that are required by the Clermont County Engineer's Office.

**STAFF REPORT ON SUBDIVISION CASES**

**The Mills at Miami, Section 1**                      **Formal Plan**                      **Miami Township**  
5:15 p.m.

Mr. Hershner presented the Staff Report for this Formal Plan, which Chairman Maham added to the agenda at the direction of the County Commissioners' Office. Staff's recommendation was for approval of the Formal Plan, contingent upon satisfactory resolution of all staff and agency comments.

Louis Headley, adjacent property owner, spoke in opposition to this subdivision. He distributed packets of information (attached) which included several letters from Richard G. McGue, Attorney, several letters from the Ohio Environmental Protection Agency, various complaints made to the County, "Clermont Cares" documentation, an independent Drainage Analysis performed by H.C. Nutting Company and miscellaneous other information and letters.

Louis Headley, Sr. was also present and spoke in opposition, based upon stormwater issues.

Mr. Hershner read an email (attached) from Julie Young, Miami Township resident, which had been addressed to him and the Board of County Commissioners on January 22, 2007. In

her email, she also discussed storm water issues, issues regarding the detention basin, and various other issues.

Theresa Conover, Miami Township resident, also spoke in opposition to this subdivision. She had concerns that the county's oversight system is not adequate.

There was further discussion regarding OEPA violations, stormwater issues, erosion control and sedimentary issues.

There was discussion regarding the difference between the calculations done at Mr. Headley's expense by H.C. Nutting Company and those done by Santoro Engineering Company, the project engineer. Heath Wilson, Clermont County Building Department, stated that Santoro's calculations met the requirements of the County.

Commissioner Hoffman asked if the final plans for this subdivision had been stamped by an Engineer and Mr. Hershner stated that they had.

Following discussion, Mr. Hoffman moved that the Planning Commission **approve** the Formal Plan for The Mills at Miami, Section 1, contingent on the following conditions:

1. The applicant shall address the comments submitted by the Clermont County Engineer, Clermont County Building Inspection Department, Clermont County Water and Sewer District, and the USDA NRCS prior to Final Construction Plan and/or Record Plat Approval.
2. On title sheet, provide statement addressing specific provisions of Article V, Section 521.A.B of the Subdivision Regulations. Particularly important are the provisions of statements satisfying #'s 1-3 of Section 521.A with regard to Open Space.
3. No BCC Signature is required for Final Construction Plans – omit this signature line from the block provided on Cover Page.
4. Open Space Calculations – ensure that open space calculations provided on cover sheet match actual open space lot are provided in Section I. Recalculation may be required to account for provision/designation of lot numbers to following areas, including, but not limited to:
  - a. Pocket Parks/Detention Areas
  - b. Entryway lots
  - c. Entryway Landscape & Gazebo Island
  - d. Island Lot #'s 101-105
  - e. Common Area Lot #'s 107-109
  - f. Lot #98
  - g. Lot #106 (Neighborhood Green Area)
5. Open Space Parcel Identification – Label all public and/or commonly held parcels as “Open Space” or abbreviate as “O.S.” on plans where small lot size precludes full

label. Provide all identified Open Space lots with lot numbers. The following areas require identification as “Open Space” and/or lot numbers.

- a. Entryway Landscape Island
- b. Pocket Park adjacent to Lot #25
- c. Entry parcels along Boulevard Entry
- d. Lot #98
- e. Detention Area #1/Open Space Area along boundary
- f. Condo Common Parcels (Lot #s 107-109)
- g. Lot #106 (Neighborhood Green)
- h. Landscape Islands along boulevard Lot #s 101-105

6. Assign all alleyways with Lot #s, redesignate as “Alley Lot \_\_\_\_”. Provide statement of Final Construction Plans and Record Plat indicating the following with regard to alley lots:

“Private alleyways to be maintained by the Mills of Miami Homeowner’s Association.”

Note: Redesignation of alleyways as “alley lots” will require a slight reconfiguration of all lots and recalculation of approximate acreage and square footage amounts on Final Construction Plans.

7. Adjust lot lines on the following lots so as to situate proposed lot lines radial to the proposed street(s), per Article V, Section 512.C of the Clermont County Subdivision Regulations. Specific areas requiring redress are as follows:

- a. Lot #s 13 & 14 – Common Lot Line
- b. Lot #26
- c. Lot #40
- d. Lot #s 79 & 80 – Common Lot Line

If it can be demonstrated that a variation to this rule is appropriate, please provide appropriate justification thereto.

8. Amend plans to label areas designated for future sections as “Future Development”.
9. Provide a public Pedestrian Easement to accommodate the proposed sidewalk connector with Dearfield Pointe as the proposed sidewalk will traverse privately owned and commonly held open space.
10. Is additional grading required within the proposed sight distance easement on Stevens Subdivision No. 2, Lot #10? If additional grading is required on this parcel to obtain/maintain sight distance, please provide grading details on the Final Construction Plans relative to the scope of proposed earthmoving activities.
11. The proposed sight distance easement along Deerfield Road upon Stevens Subdivision

No. 2, Lot #10 will modify a platted lot situated within a recorded subdivision. A replat will be required for the subdivision lot showing the placement and detailing the purposes of said sight distance easement.

12. Provide a Conservation Easement/Drainage Easement along the existing creek bisecting the proposed subdivision of the width required by the Planning Commission during Design Plan Approval. Specifically, said Conservation/Drainage-course easement shall be a minimum of 100' in width, or approximately 50' half-width as measured from the stream centerline. The easement shall be shown on the Final Construction Plans and Record Plat; the easement shall be a required condition of approval.

Motion was seconded by Mr. Vanlandingham, and carried unanimously.

## **OLD BUSINESS/NEW BUSINESS**

### **Introduction to the Planning Commission, Part 2**

Mr. Hershner summarized the "Introduction to the Planning Commission, Part 2" webcast that was held on January 17, 2007.

### **OKI Appointment – Replacement of Louis M. Ethridge**

Chairman Maham asked that this item be tabled until February.

## **COMMITTEE REPORTS**

Mr. Hershner stated that half of the township meetings regarding the Land Use Plan Update have been held.

Mr. Hershner stated that the proposed revisions to the Clermont County Subdivision Regulations are still being considered by the Board of County Commissioners.

As there was no further business brought before the Planning Commission, the meeting was adjourned.

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**Roger J. Maham, Chairman**

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**Tim L. Turton, Vice Chairman**